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#6

16 OCT 2006

Atty. Dkt. No. 026032-4899

Legal Staff  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Arnold-Huyser et al.  
Title: POINT-OF-INTEREST  
DISPLAY SYSTEM  
Appl. No.: 10/532,025  
International Filing Date: 10/20/2003  
371(c) Date: 04/21/2005  
Examiner: To Be Determined  
Art Unit: To Be Determined  
Conf. No.: 8239

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 828707949 US	10/16/06
(Express Mail Label Number)	(Date of Deposit)
Carolyn Simpson	
(Printed Name)	
	
(Signature)	

**TRANSMITTAL**

Mail Stop PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents for the above-identified patent application:

- [ X ] Renewed Petition Under 37 C.F.R. 1.47(a) (2 pages)
- [ X ] Affidavit of Jodi A. Hemmeke (3 pages) with Exhibit A (1 page),  
Exhibit B (1 page), Exhibit C (1 page), Exhibit D (1 page),  
Exhibit E (1 page), Exhibit F (1 page), Exhibit G<sub>1</sub> (1 page),  
Exhibit G<sub>2</sub> (1 page), Exhibit H (2 pages)

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$1,020.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$1,020.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1,020.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$1,020.00

A credit card payment form in the amount of \$1,020.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

11/03/2006 SBASHEIR 00000002 10532025

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1020.00.00



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16 OCT 2006

Atty. Dkt. No 026032-4899

Legal Staff  
International Division

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Arnold-Huyser et al.  
Title: POINT-OF-INTEREST DISPLAY  
SYSTEM  
Appl. No.: 10/532,025  
International Filing Date: 10/20/2003  
371(c) Date: 04/21/2005  
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EV 828707949 US	10/16/06
(Express Mail Label Number)	(Date of Deposit)
Carolyn Simpson	
(Printed Name)	
	
(Signature)	

**RENEWED PETITION UNDER 37 C.F.R. 1.47(a)**

Mail Stop PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. §1.47 to accept the Declaration and Power of Attorney in the above-referenced application, in order to preserve the rights of the Applicants.

A petition under 37 C.F.R. 1.47 must include proof of the pertinent facts relating to the presentation of the application papers to the inventor and the inventor's refusal to sign the application papers. The petition must also be accompanied by (i) the oath or declaration, (ii) the fee set forth in § 1.17(h), and (iii) the last known address of the non-signing inventor.

The party to which the Applicants have agreed to assign the invention have made a *bona fide* attempt to comply with the provisions of 37 C.F.R. §1.47, by attempting to contact the non-signing inventor, Mr. John S. Bambini, in order to execute the application, on multiple occasions. To date, Mr. Bambini has failed to execute the above-referenced

application and return it to the party to which the Applicants have agreed to assign. Therefore, the Applicants petition the Commissioner to accept the Declaration and Power of Attorney in this application, in order to preserve their rights.

Enclosed herewith is a sworn affidavit by Ms. Jodi Hemmeke, a 17-year employee of the party to which the Applicants have agreed to assign invention. The affidavit provides a firsthand account of the circumstances surrounding the presentation of the application papers and of the refusal by Mr. Bambini, in compliance with MPEP §409.03.

The fee set forth in 37 C.F.R. §§ 1.17(h) for filing a petition by other than all the inventors is \$200.00. A credit card payment for this amount was submitted with the petition filed on February 23, 2006 and is not required for submission with this renewed petition.

In compliance with the requirements of 37 C.F.R. §§ 1.47(a), the last known address of the non-signing inventor is as follows:

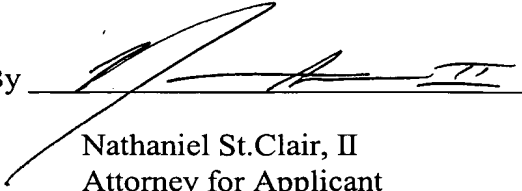
Mr. John S. Bambini  
5490 Brattleboro Dr. SE  
Kentwood, MI 49508-6302

The Commissioner is hereby authorized to charge any additional fees, including fees for extensions of time, which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 10/16/2006

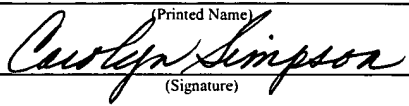
FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5845  
Facsimile: (414) 297-4900

By 

Nathaniel St.Clair, II  
Attorney for Applicant  
Registration No. 57,498

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Arnold-Huyser et al.  
Title: POINT-OF-INTEREST DISPLAY  
SYSTEM  
Appl. No.: 10/532,025  
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EV 828707949 US	10/16/06
(Express Mail Label Number)	(Date of Deposit)
Carolyn Simpson (Printed Name)	
 (Signature)	

**AFFIDAVIT**

STATE OF Michigan )  
COUNTY OF Ottawa )SS

**RECEIVED**

16 OCT 2006

Legal Staff  
International Division

I, Jodi A. Hemmeke, being duly sworn, do hereby depose and say as follows:

- 1) I am an employee of Johnson Controls Interiors LLC ("JCI") and have been employed at JCI for a total of 17 years, previously as an Administrative Assistant in the Intellectual Property Department.
- 2) In my role as an Administrative Assistant, I regularly corresponded with the inventor/patentee(s) and supervised the execution of various patent-related documents, such as declarations of inventorship, powers of attorney, assignments, etc., for certain patent applications filed on behalf of Johnson Controls Technology Company.

- 3) In the above-captioned application, there are five named inventors, including Mr. John S. Bambini. Each of the five named inventors have been contacted to review the aforementioned patent application and to execute declarations of inventorship, powers of attorney, and assignment documents relating to this patent application.
- 4) On or around December 9, 2005, I attempted to contact Mr. Bambini via letter to request his cooperation with the review of the patent application and the execution of a declaration of inventorship, a power of attorney, and an assignment, relating to the aforementioned patent application.
- 5) Upon receiving no response from Mr. Bambini, I contacted Mr. Bambini via e-mail (at John.Bambini@smiths-aerospace.com), in order to verify whether he had reviewed the patent application and executed and returned the declaration, power of attorney, and assignment.
- 6) On December 18, 2005, I received a response from Mr. Bambini via e-mail, indicating that he “decided not to sign” the aforementioned documents relating to this patent application. (*See Exhibit A.*)
- 7) On December 20, 2005, I responded to Mr. Bambini informing him of his contractual obligations to JCI, regarding execution of certain necessary papers relating to this patent application, as required by his employment agreement. (*See Exhibit B.*)
- 8) On January 13, 2006, I attempted to contact Mr. Bambini again to inquire whether he had executed the declaration and assignment. I received no response from Mr. Bambini. Attached to the January 13<sup>th</sup> correspondence was Mr. Bambini’s signed employment agreement. (*See Exhibits C and D.*)
- 9) On February 7, 2006, a certified letter, including the aforementioned patent application, a declaration of inventorship, a power of attorney, and an assignment, was sent with a return-receipt request, to Mr. Bambini’s last known residence . The



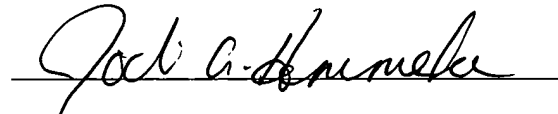
letter and all enclosures were returned to sender as "unclaimed." (See Exhibit E, F, and G, which include a copy of the letter, a copy of the return-receipt, and a copy of the face of the envelope.)

10) On June 22, 2006, I resent a declaration of inventorship, a power of attorney, and an assignment to Mr. Bambini via e-mail (at John.Bambini@smiths-aerospace.com). (See Exhibit H.)

11) I received no response from Mr. Bambini, and I have had no other communication with Mr. Bambini since my June 22<sup>nd</sup> correspondence.

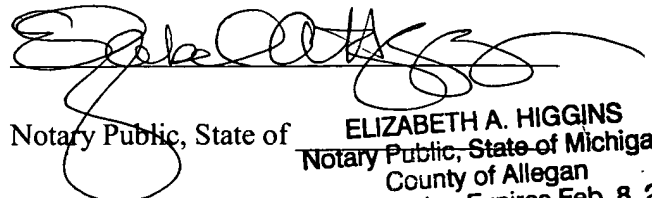
12) To the full extent of my knowledge, Mr. Bambini has refused to sign the declaration, power of attorney, and assignment for the above captioned application.

Sworn and subscribed to by:



Jodi A. Hemmeke

On this 11<sup>th</sup> day of October 2006, before me personally appeared JODI A. HEMMEKE, known to me to be the individual described herein and who executed the foregoing instrument for the purposes set forth herein.



Notary Public, State of Michigan  
ELIZABETH A. HIGGINS  
Notary Public, State of Michigan  
County of Allegan  
My Commission Expires Feb. 8, 2012  
Acting in the County of Ottawa

**St. Clair, Nathaniel**

---

**From:** Jodi.A.Hemmeke@jci.com  
**Sent:** Thursday, January 26, 2006 12:07 PM  
**To:** St. Clair, Nathaniel  
**Subject:** Point of interest display system applications

----- Forwarded by Jodi A Hemmeke/NA/Johnson\_Controls -----

**From:** John.Bambini@smiths-aerospace.com  
**To:** jodi.a.hemmeke@jci.com  
**12/18/2005 12:16 PM**  
**Subject:** GPS patent

Jodi,

Thank you for the opportunity to be included on the GPS patent application. After careful consideration, I have decided not to sign. I will return the money to Todd Witkowski the next time I see him for return to you.

John S. Bambini  
john.bambini@ieee.org

\*\*\*\*\*

The information contained in, or attached to, this e-mail, may contain confidential information and is intended solely for the use of the individual or entity to whom they are addressed and may be subject to legal privilege. If you have received this e-mail in error you should notify the sender immediately by reply e-mail, delete the message from your system and notify your system manager. Please do not copy it for any purpose, or disclose its contents to any other person. The views or opinions presented in this e-mail are solely those of the author and do not necessarily represent those of the company. The recipient should check this e-mail and any attachments for the presence of viruses. The company accepts no liability for any damage caused, directly or indirectly, by any virus transmitted in this email.

\*\*\*\*\*

**St. Clair, Nathaniel**

---

**From:** Jodi.A.Hemmeke@jci.com  
**Sent:** Thursday, January 26, 2006 12:07 PM  
**To:** St. Clair, Nathaniel  
**Subject:** Point of interest display system applications

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

----- Forwarded by Jodi A Hemmeke/NA/Johnson\_Controls on 01/13/2006 09:17 AM -----

Jodi A Hemmeke/NA/Johnson\_Controls  
To John.Bambini@smiths-aerospace.com  
12/20/2005 08:07 AM  
Cc Elisabet A Anderson/NA/Johnson\_Controls  
Subject Re: GPS patent (Document link: Jodi A Hemmeke)

John,

Unfortunately, once you are named as an inventor on an application, it is very difficult to remove you. Your NDA with JCI actually obligates you to support anything you worked on while employed (even after your employment ends). If you have any questions or concerns about the process, please let me know.

Regards,

Jodi

Jodi Hemmeke  
Intellectual Property

..... E-mail: jodi.a.hemmeke@jci.com  
..... Phone: (616) 394-8062  
..... Cellular: (616) 283-0772  
..... Fax: (616) 394-1231

**St. Clair, Nathaniel**

---

**From:** Jodi.A.Hemmeke@jci.com  
**Sent:** Thursday, January 26, 2006 12:07 PM  
**To:** St. Clair, Nathaniel  
**Subject:** Point of interest display system applications

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

----- Forwarded by Jodi A Hemmeke/NA/Johnson\_Controls on 01/26/2006 12:39 PM -----

Jodi A Hemmeke/NA/Johnson\_Controls  
To John Bambini  
01/13/2006 09:22 AM  
Subject Fw: GPS patent

John,

I haven't received a response from you or the signed documents. I'm attaching a copy of your Employee NDA (please review item "b"). Please let me know when I may expect the documents (you may fax or email if you'd like).

Thank you,

Jodi

(See attached file: 1033\_001.pdf)

Jodi Hemmeke  
Intellectual Property

..... E-mail: jodi.a.hemmeke@jci.com  
..... Phone: (616) 394-8062  
..... Cellular: (616) 283-0772  
..... Fax: (616) 394-1231



PRINCE

EMPLOYEE INNOVATION AND  
NON-DISCLOSURE AGREEMENT

In consideration of my original and/or further employment with Prince and of the salary or wages paid to me, I agree:

- a to disclose and assign to Prince all inventions and technical or business innovations conceived or developed by me or jointly with others within the period of my employment, that relate to in any way the company's present and known products, processes, or machines, whether they are existing or reasonably anticipated.
- b to execute, upon the company's request and expense, all necessary papers and provide proper assistance during or subsequent to my employment, to enable the company to obtain for itself any patents, copyrights, or other legal protection for such inventions or innovations.
- c to make and maintain for the company adequate and current written records of all such inventions or innovations.
- d not to use, publish, or otherwise disclose (except as required in my normal company duties), either during or subsequent to my employment, any secret or confidential information or data concerning the company, its products and processes, or its customers.
- e to, upon my termination of employment, promptly deliver to the company all drawings, blueprints, manuals, letters, notes, note boards, reports and all materials of a secret or confidential nature, relating to the company's business, and which are in my possession or control.

Witness: Prince ShemwellSignature: John A. BambasDate: 12-2-96

**FOLEY & LARDNER LLP  
ATTORNEYS AT LAW**777 EAST WISCONSIN AVENUE  
MILWAUKEE, WI 53202-5306  
414.271.2400 TEL  
414.297.4900 FAX  
www.foley.com

February 7, 2006

WRITER'S DIRECT LINE  
414.297.5845  
nstclair@foley.com EMAILCLIENT/MATTER NUMBER  
26032-4899Mr. John S. Bambini  
5490 Brattleboro Dr. SE  
Kentwood, MI 49508-6302Re: Assignments & Declarations and Power of Attorney for Patent Applications  
Applicant: Arnold-Huyser et al.  
Title: POINT-OF-INTEREST DISPLAY SYSTEM  
Filing Date: April 21, 2005  
F&L File Nos.: 026032-4899, 026032-4900, 026032-4901

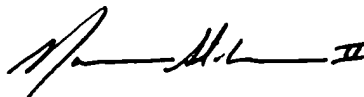
Dear Mr. Bambini:

I represent Johnson Controls, Inc. ("JCI"), in the above-referenced patent matters. I attempted to contact you on January 27, 2006, via telephone to remind you of your obligations to JCI, regarding the execution of certain necessary papers for the above-referenced patent matters.

Per the enclosed document entitled "Employee Innovation and Non-Disclosure Agreement, you entered into an agreement with Prince Corporation (now owned by JCI) to execute "all necessary papers and provide proper assistance *during or subsequent to your employment*, to enable the company to obtain for itself patents, copyrights, or other legal protection for such inventions or innovations."

I have also enclosed a postage-paid, self-addressed envelope and the necessary papers for you to execute, including the (i) Assignments and (ii) Declarations and Power of Attorney for each of the above-referenced patent applications, in order for you to comply with your contractual obligations to JCI. Your immediate attention and return of the executed documents prior to **Monday, February 20, 2006**, would be greatly appreciated. If you have any questions regarding the content of this letter or any other communication(s) regarding this matter, please do not hesitate to contact me.

Best regards,



Nathaniel St. Clair II

## Enclosure

Cc: Jodi A. Hemmeke (w/o enclosures)  
Steven C. Becker (w/o enclosures)BOSTON  
BRUSSELS  
CHICAGO  
DETROITJACKSONVILLE  
LOS ANGELES  
MADISON  
MILWAUKEENEW YORK  
ORLANDO  
SACRAMENTO  
SAN DIEGOSAN DIEGO/DEL MAR  
SAN FRANCISCO  
SILICON VALLEY  
TALLAHASSEETAMPA  
TOKYO  
WASHINGTON, D.C.  
WEST PALM BEACH

7160 3901 9849 3592 7803

**TO:** Mr. John S. Bambini  
5490 Brattleboro Dr. SE  
Kentwood, MI 49508-6302

**SENDER:** Nathaniel St. Clair

**REFERENCE:**

PS Form 3800, January 2005

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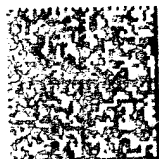
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UNITED STATES

CELESTIAL MAIL



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**FOLEY**

FOLEY & LARDNER LLP  
ATTORNEYS AT LAW  
777 EAST WISCONSIN AVENUE  
MILWAUKEE, WI 53202-5306

26032-4899

3983 (NSTC)




MR. JOHN S. BAMBINI  
5490 BRATTLEBORO DR. SE  
KENTWOOD, MI 49508-6302

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1ST NOTICE \_\_\_\_\_  
2ND NOTICE \_\_\_\_\_  
RETURN \_\_\_\_\_



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A. Received by (Please Print Clearly)	B. Date of Delivery
C. Signature <b>X</b>	
D. Is delivery address different from item 1? <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Article Number <b>7440 3703 9847 3572 7803</b>  3. Service Type <b>CERTIFIED MAIL</b> 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No 1. Article Addressed to: <b>Mr. John S. Bambini</b> <b>5490 Brattleboro Dr. SE</b> <b>Kentwood, MI 49508-6302</b>	
PS Form 3811, January 2005 Domestic Return Receipt <b>Nathaniel St. Clair 3983</b>	

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 DETACH ALONG PERFORATION

Thank you for using Return Receipt Service

**St. Clair, Nathaniel**

**From:** Jodi.A.Hemmeke@jci.com  
**Sent:** Thursday, June 22, 2006 3:49 PM  
**To:** John.Bambini@smiths-aerospace.com  
**Cc:** St. Clair, Nathaniel  
**Subject:** Assignments and Declarations for JCI patent applications

**Attachments:** Assignment and Declaration - 4901.pdf; Assignment and Declaration - 4899.pdf; Assignment and Declaration - 4900.pdf



Assignment and  
Declaration - 4...



Assignment and  
Declaration - 4...



Assignment and  
Declaration - 4...

**RE:** Assignments & Declarations and Power of Attorney for Patent Applications  
**Applicant:** Arnold-Huyser et al.  
**Title:** POINT-OF-INTEREST DISPLAY SYSTEM  
**Filing Date:** April 21, 2005  
**Appln Nos.:** 10/532025, 10/532287, 10/532199  
**F&L File Nos.:** 026032-4899, 026032-4900, 026032-4901

John,

You are listed as a named inventor on at least three patent applications, commonly entitled, "Point of Interest Display System." According to the terms of your employment agreement and as a named inventor, you are required to sign and return the attached assignments and declarations of inventorship. Please confirm via email reply that you have executed the documents and will return the documents in the postage-paid envelope previously provided.

If you have any questions regarding this matter, please contact me or Nathaniel St.Clair, II, of Foley & Lardner at 414-297-5845 or nstclair@foley.com. Thanks, in advance, for your cooperation.

Best regards,  
Jodi

(See attached file: Assignment and Declaration - 4901.pdf) (See attached file: Assignment and Declaration - 4899.pdf) (See attached file: Assignment and Declaration - 4900.pdf)

Jodi Hemmeke ..... E-mail: jodi.a.hemmeke@jci.com

Electronics ..... Phone: (616) 394-8062

..... Cellular: (616) 283-0772

..... Fax: (616) 394-6100

.....

Johnson Controls, Inc.

Automotive Group

915 E. 32nd St. ....

Holland, MI 49423

.....

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